

FILED

2010 JAN 26 AM 9:11

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

Nicholas J. Bontrager, Esq. (SBN 252114)
Krohn & Moss, Ltd.
10474 Santa Monica Blvd., Suite 401
Los Angeles, CA 90025
T: (323) 988-2400; F: (866) 802-0021
nbontrager@consumerlawcenter.com
Attorneys for Plaintiff,
TARA PACKER

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

TARA PACKER,

Plaintiff,

v.

NATIONAL CREDIT SYSTEMS,
INC.,

Defendant.

Case No.: **CV10 0533 E**

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

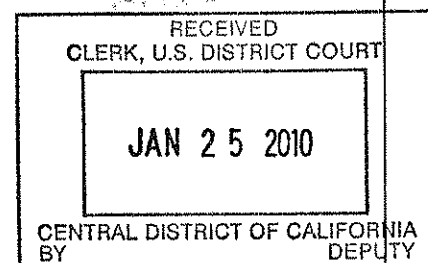
(Unlawful Debt Collection Practices)

VERIFIED COMPLAINT

TARA PACKER (Plaintiff), by her attorneys, KROHN & MOSS, LTD.,
alleges the following against NATIONAL CREDIT SYSTEMS, INC.,
(Defendant):

INTRODUCTION

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).
2. Count II of the Plaintiff's Complaint is based on Rosenthal Fair Debt Collection Practices Act, *Cal. Civ. Code §1788 et seq.* (RFDCPA).



JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and *28 U.S.C. 1367* grants this court supplemental jurisdiction over the state claims contained therein.
4. Defendant conducts business in the state of California, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.
6. Declaratory relief is available pursuant to *28 U.S.C. 2201 and 2202*.

PARTIES

7. Plaintiff is a natural person residing in Sherman Oaks, Los Angeles County, California.
8. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)* and *Cal. Civ. Code § 1788.2(h)*.
9. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)* and *Cal. Civ. Code § 1788.2(c)*, and sought to collect a consumer debt from Plaintiff.
10. Defendant is a national company with its headquarters in Atlanta, Georgia.
11. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

12. Defendant is attempting to collect an alleged debt owed to a previous apartment complex Plaintiff once resided in.

13. On or about June 5, 2009, Defendant caused a written correspondence to be delivered to Plaintiff informing Plaintiff that Defendant was hired to collect on the alleged debt. (See Exhibit A).

14. On or about June 16, 2009, Plaintiff prepared and delivered a written correspondence to Defendant which stated that the debt was not valid as the underlying lawsuit resulted in a judgment in Plaintiff's favor and that Plaintiff disputed the alleged debt owed and refused to pay Defendant any money. (See Exhibit B).

15. On or about July 7, 2009, Defendant prepared a written response to Plaintiff confirming that Defendant was unable to validate Plaintiff's claims and that Defendant's credit reporting of the alleged debt would continue. (See Exhibit C).

16. On or about July 7, 2009, Defendant caused a written demand for payment to be delivered to Plaintiff. (See Exhibit D).

17. On or about August 19, 2009, Defendant caused yet another written demand for payment to be delivered to Plaintiff. (See Exhibit E).

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES
ACT

18. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(c) of the FDCPA by continuing to communicate directly with Plaintiff after being put on written notice that Plaintiff refused to pay the alleged debt owed.

1 b. Defendant violated §1692d of the FDCPA by engaging in conduct of
2 which the natural consequence is the abuse and harassment of the
3 Plaintiff.

4 c. Defendant violated §1692e(2)(A) of the FDCPA by falsely
5 representing the character and legal status of the alleged debt by
6 continuing to seek collection after being provided written proof of the
7 judgment in Plaintiff's favor regarding the underlying debt.

8 d. Defendant violated §1692e(10) of the FDCPA by using the false and
9 deceptive practices of continuing to seek collection after being
10 provided written proof of the judgment in Plaintiff's favor regarding
11 the underlying debt.

12 WHEREFORE, Plaintiff, TARA PACKER, respectfully requests judgment
13 be entered against Defendant, NATIONAL CREDIT SYSTEMS, INC., for the
14 following:

15 19. Declaratory judgment that Defendant's conduct violated the Fair Debt
16 Collection Practices Act,

17 20. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection
18 Practices Act, 15 U.S.C. 1692k,

19 21. Actual damages,

20 22. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection
21 Practices Act, 15 U.S.C. 1692k

22 23. Any other relief that this Honorable Court deems appropriate.
23
24
25

COUNT II
DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT
COLLECTION PRACTICES ACT

24. Plaintiff repeats and realleges all of the allegations in Count I of Plaintiff's Complaint as the allegations in Count II of Plaintiff's Complaint.

25. Defendant violated the RFDCPA based on the following:

- a. Defendant violated the §1788.17 of the RFDCPA by continuously failing to comply with the statutory regulations contained within the FDCPA, *15 U.S.C. § 1692 et seq.*

WHEREFORE, Plaintiff, TARA PACKER, respectfully requests judgment be entered against Defendant, NATIONAL CREDIT SYSTEMS, INC., for the following:

26. Declaratory judgment that Defendant's conduct violated the Rosenthal Fair Debt Collection Practices Act,

27. Statutory damages of \$1000.00 pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ. Code §1788.30(b)*,

28. Actual damages,

29. Costs and reasonable attorneys' fees pursuant to the Rosenthal Fair Debt Collection Practices Act, *Cal. Civ Code § 1788.30(c)*, and

30. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, TARA PACKER, demands a jury trial in this case.

1
2 DATED: January 21, 2010

RESPECTFULLY SUBMITTED,

KROHN & MOSS, LTD.

3
4 By: 

5 Nicholas J. Bontrager
6 Attorney for Plaintiff
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF CALIFORNIA

Plaintiff, TARA PACKER, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, TARA PACKER, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

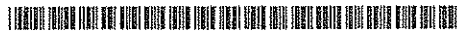
DATE: 1/13/10


TARA PACKER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBIT A

DEPT. 855
PO BOX 4115
CONCORD CA 94524



ADDRESS SERVICE REQUESTED

National Credit Systems, Inc

P.O. Box 312125

Atlanta, GA 31131-2125

Phone: 404-629-2728 Toll Free: 800-459-1539

June 5, 2009

#BWNFTZF #ATL5592219709069#



TARA DEE PACKER
3427 LOADSTONE DR
SHERMAN OAKS CA 91403-4513

Re: THE VENTANA LUXURY APTS / FINGER / 411

Account #: 1893813

Balance: \$13155.08

Dear TARA DEE PACKER,

It is imperative that you give this matter your prompt attention.

The above referenced account has been placed with this office for collection. As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations. But we will not submit a negative credit report to a credit reporting agency about this credit obligation until the expiration of the time period described below.

However, if you contact our office, we will work with you to satisfy this debt in a friendly manner. Please be assured that you may still avoid the aforementioned consequences by calling now. Your representative will review and explain all charges assessed, consider your individual circumstances, and assist you in resolving this matter. Please be assured that you may still avoid the aforementioned consequences.

We encourage you to take advantage of this opportunity so we may settle this debt amicably.

Cordially,

KIRK COLEMAN
Collection Representative
404-419-1460 800-979-4389

Please direct all correspondence to:
NATIONAL CREDIT SYSTEMS, INC., PO Box 312125, Atlanta, GA 31131-2125

Required Statutory Notice: Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice this office will provide you with the name and address of the original creditor, if different from the current creditor.

Please see reverse side for important information.

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBIT B

June 16, 2009

Kirk Coleman

National Credit Systems, Inc.

PO Box 312125

Atlanta, GA 31131-2125

RE: The Ventana Luxury Apts / Acct# 1893813

Dear Kirk,

Please be advised that this debt is not valid. There is no judgement for it, in fact, I went to court and the case was dismissed in favor of the defendant, myself. See attached Judgement. Furthermore, I received a bill in the amount of \$18,355.08 from them recently and called and spoke with Crissy Baccus, the Property Manager. She informed me that the place was leased out and a new statement will be issued later on in June. I received your letter as of last week and was shocked. I contacted Crissy and left messages for her on 2 occasions after receiving your letter and she has not bothered to return the calls.

There is no legitimacy to this claim. In addition, any further attempts/actions for collection or reporting to credit bureaus on your part are in direct violation of the FCRA, and you could be considered a viable defendant in any claim against The Ventana.

Most Sincerely,

Tara Packer

3427 Loadstone Dr.

Sherman Oaks, CA 91403

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
WEST DISTRICT, SANTA MONICA COURTHOUSE (19484)
1725 MAIN STREET, SANTA MONICA, CA 90401
TELEPHONE: (310) 260-1887

FINVEST PLAYA 93
PACKER, TARA

vs.

Case Number: 09U00783

CLERK'S NOTICE OF ENTRY OF JUDGMENT AND NOTICE RE EXHIBITS/DEPOSITIONS

To the parties and their attorneys of record; You are hereby notified that pursuant to section CCP 664.5, the attached copy of the judgment in the above entitled case was entered on 04/07/2009 . Further, Exhibits/Depositions, if any, will be destroyed at the end of 60 days from expiration of appeal time.

JOHN A. CLARKE, Executive Officer/Clerk

By MARY WECHTER , Deputy
Clerk of the above named Court

*Costs determined by Memorandum of Costs (1033 CCP et seq.)

CLERK'S CERTIFICATE OF MAILING

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Clerk's Notice of Entry upon each party or counsel named below by depositing in the United States mail at the courthouse in SANTA MONICA, CALIFORNIA, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid.

PACKER, TARA

6565 CRESCENT PARK WEST #411
PLAYA VISTA, CA 90094

DEEKSHA MADAN

KIMBALL, TIREY & ST. JOHN
350 S. FIGUEROA STREET, SUITE 498
LOS ANGELES, CA 90071

JOHN A. CLARKE, Executive Officer/Clerk

Dated 04/07/2009

BY MARY WECHTER , Deputy

JUDGMENT

09U00783

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
WEST DISTRICT, SANTA MONICA COURTHOUSE (19484)
1725 MAIN STREET, SANTA MONICA, CA 90401
Telephone: (310) 260-1887

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT JUDGMENT BE ENTERED AS FOLLOWS:

FOR: PACKER, TARA

AGAINST: FINVEST PLAYA 93 ,LLC

\$ 0.00 costs as provided by law (as taxed or ascertained.)

FOR A TOTAL OF: \$.00

This judgment conforms to the order of the court.

DATED: 04/06/2009

LAWRENCE H. CHO
JUDGE, SUPERIOR COURT

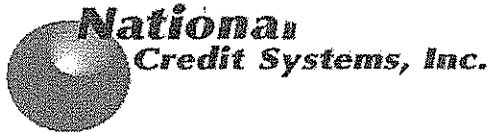
=====

FILED AND ENTERED ON: 04/06/2009
BY MARY WECHTER
DEPUTY CLERK

JOHN A. CLARKE
Executive Officer/Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBIT C



National Credit Systems, Inc. P.O. Box 312125 Atlanta, Ga. 31131 800-459-1539 404-629-2728

07/07/2009

Tara Dee Packer
3427 Loadstone Dr
Sherman Oaks CA 91403-4513

Client: THE VENTANA LUXURY APTS / FINGER
Client Account Number: 411
Account Number: 1893813

Balance: \$13,155.08

We have received your correspondence concerning the above referenced account.

Your dispute has been investigated; however, we have yet to find sufficient evidence to validate your claim(s). It is very important that you provide our company with all documentation supporting your position.

In the event that new information is obtained which places doubt on the validity of this debt, we will promptly update our records accordingly. In addition, National Credit Systems, Inc. will revise or delete the information it may have reported to the three major credit bureaus, in full compliance with the provisions of The Fair Credit Reporting Act, The Fair Debt Collections Practices Act and any state regulations that may be applicable.

Be advised that National Credit Systems, Inc. is a third party debt collection agency whose efforts are solely on behalf of other companies who have previously validated debts.

Enclosed you will find documentation provided to us by THE VENTANA LUXURY APTS / FINGER.

Sincerely,

CYNTHIA MANGRAM
Collection Representative

11

This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for this purpose.

7/14: spoke to Chiny
will send revised bill
w/ ~~bill~~ bill for floors
I will send certified
to CB after receipt to
make arrangements.

7/13: spoke to Rachelle
told her never rec'd a
bill & it went into
collections instead &
amount is incorrect

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBIT D

DEPT. 855
PO BOX 4115
CONCORD CA 94524



ADDRESS SERVICE REQUESTED

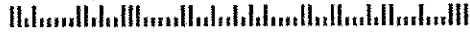
National Credit Systems, Inc

P.O. Box 312125
Atlanta, GA 31131-2125

Phone: 404-629-2728 Toll Free: 800-459-1539

July 10, 2009

#BWNFTZF #ATL8640232109077#



TARA DEE PACKER
3427 LOADSTONE DR
SHERMAN OAKS CA 91403-4513

Re: THE VENTANA LUXURY APTS / FINGER / 411

Account #: 1893813

Balance: \$13155.08

Dear TARA DEE PACKER,

We regret that you have failed to make suitable arrangements concerning the above referenced obligation.

Be advised, we are processing this account for placement on your credit history with all three national credit bureaus. If so reported, your ability to obtain credit, rent, or secure favorable interest rates may be affected for seven years from the date of delinquency.

However, it is not too late for us to place a hold on your account if you act now. You may be able to avoid adverse credit reporting entirely if we can work out a reasonable arrangement.

Our representatives will take your individual situation into consideration.

We urge you to contact our office before this debt is placed on your credit record or reviewed for possible legal action.

Cordially,

KIRK COLEMAN
Collection Representative
404-419-1460
July 9, 2009

Please direct all correspondence to:
NATIONAL CREDIT SYSTEMS, INC., PO Box 312125, Atlanta, GA 31131-2125

Please see reverse side for important information.

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBIT E

DEPT. 855
PO BOX 4115
CONCORD CA 94524



ADDRESS SERVICE REQUESTED

National Credit Systems, Inc

P.O. Box 312125

Atlanta, GA 31131-2125

Phone: 404-629-2728 Toll Free: 800-459-1539

August 19, 2009

#BWNFTZF #ATL2736377209080#



TARA DEE PACKER
3427 LOADSTONE DR
SHERMAN OAKS CA 91403-4513

Re: THE VENTANA LUXURY APTS / FINGER 7411

Account #: 1893813

Balance: \$12052.08

Dear TARA DEE PACKER,

Your refusal to make suitable arrangements to satisfy the above referenced debt has resulted in your account being reviewed for additional recovery options available to our client in your state.

Our company has already reported this account to all three national credit bureaus, which is likely affecting your ability to obtain credit, rent, or secure favorable interest rates.

If voluntary payment of this account is not made, we may recommend that our client proceed with additional collection remedies available to them under the law. Our client may pursue its lawful recovery options, which may include any or all of the following, based upon legal procedures allowed in your state:

1. Garnishment of wages (states excluded: NC, SC, PA, TX).
2. Liens placed on property including:
 - automobiles
 - real estate
 - other real property
3. Seizure & auction of personal property

To avoid further costly collection activity, it is imperative you contact me immediately.

Sincerely,

JOSHUA GATHERS
Collection Representative
404-419-1460
August 18, 2009

Please direct all correspondence to:
NATIONAL CREDIT SYSTEMS, INC., PO Box 312125, Atlanta, GA 31131-2125

Please see reverse side for important information.

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) FOR, OR, PLAINTIFF
OR DEFENDANT IF PLAINTIFF OR DEFENDANT IS PRO PER

ATTORNEYS FOR:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TARA PACKER

Plaintiff(s),

CASE NUMBER

CV10- 533 E

V.

**NATIONAL CREDIT SYSTEMS,
INC.**

Defendant(s)

**STATEMENT OF CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE
(For use in Magistrate Judge
Civil Consent Pilot Project Cases only)**

**THIS FORM SHALL BE USED ONLY FOR CASES IN WHICH A MAGISTRATE JUDGE IS
INITIALLY ASSIGNED PURSUANT TO LOCAL RULE 73-2**

All parties to the above-captioned civil matter are to check one of the two following options and file this document with the Clerk's Office:

- ☐ In accordance with the provisions of 28 U.S.C. § 636(C) and F.R.Civ.P.73(b), the party or parties listed below to the above-captioned civil matter hereby waive their right to proceed before a District Judge and Consent to have the assigned Magistrate Judge Charles Eick conduct all further proceedings in the case, including trial and entry of final judgment.

Any appeal from a judgment of the assigned Magistrate Judge shall be taken to the United States Court of Appeals in the same manner as an appeal from any other judgment of the District Court in accordance with 28 U.S.C. § 636(c)(3).

- ☐ The party or parties listed below to the above-captioned civil matter Do Not Consent to proceed before the assigned Magistrate Judge Charles Eick.

The party or parties listed below acknowledge that they are free to withhold consent without adverse substantive consequences.

Name of Counsel (OR Party if Pro Per)

Signature and date

Counsel for (Name Parties)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- ☐ Check this box if all parties have consented to proceed before the assigned Magistrate Judge.

NOTICE TO COUNSEL FROM CLERK

All parties having consented to proceed before the assigned magistrate judge, this case will remain assigned to United States Magistrate Judge Charles Eick for all further proceedings.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TARA PACKER,

PLAINTIFF(S)

v.

NATIONAL CREDIT SYSTEMS, INC.

DEFENDANT(S).

CASE NUMBER

CV10 0533 E**SUMMONS**

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Nicholas J. Bontrager, whose address is Krohn & Moss, Ltd.; 10474 Santa Monica Blvd., Suite 401; Los Angeles, CA 90025. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

JAN 26 2010

Dated: _____

CHRISTOPHER POWERS

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) TARA PACKER	DEFENDANTS NATIONAL CREDIT SYSTEMS, INC.
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Krohn & Moss, Ltd.; Nicholas J. Bontrager, Esq. 10474 Santa Monica Blvd., Suite 401; Los Angeles, CA 90025 (323) 988-2400	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)
☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify):
☐ 6 Multi-District Litigation
☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint)
CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 15 USC 1692 et seq.; Unlawful and Abusive Debt Collection Practices

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
--	--	--	---	--	---

CV10 0533

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). **IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). **RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. **VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles (CA)	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles (CA)	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles (CA)	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. **SIGNATURE OF ATTORNEY (OR PRO PER):** _____

Date January 21, 2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))